

ENTERED

Harry G. C. Jones
United States Bankruptcy Judge

§ §

**ORDER GRANTING ACIS'S MOTION FOR CONTINUANCE BASED ON
CONTINUING CHALLENGES WITH HIGHLAND DOCUMENT PRODUCTION**

Before the Court is Acis Capital Management, L.P. ("Acis LP") and Acis Capital Management GP, LLC's ("Acis GP" together with Acis LP, the "Reorganized Debtors," "Debtors," "Acis," or "Plaintiffs"), the Reorganized Debtors in the above-styled and jointly administered bankruptcy cases (the "Bankruptcy Cases") and Plaintiffs in the above-styled adversary proceeding (the "Adversary Proceeding")'s, Motion for Continuance Based on Continuing Challenges with Highland Document Production (the "Motion"). Having considered the briefing, all relevant authority, and the arguments of counsel (if any), the Court finds the Motion to be meritorious. Accordingly, the Court **GRANTS** the Motion and **ORDERS** that these deadlines shall replace and supersede the deadlines in the current Scheduling Order (Dkt. 102):

- A. **TRIAL DOCKET CALL & PRETRIAL CONFERENCE.** The docket call for trial in this matter will be held on **June 10, 2024**, at 1:30 PM at 1100 Commerce Street, 14th Floor, Courtroom #1, Dallas, Texas 75242. Trial will take place during the week of **June 17, 2024**, unless otherwise ordered by the Court.
- B. **TRIAL STATUS CONFERENCE.** A status conference will be held on **April 4, 2024**, at 2:30 PM at 1100 Commerce Street, 14th Floor, Courtroom #1, Dallas, Texas 75242. At this status conference, the parties are expected to be prepared to discuss the status of this matter as it relates to its progression to trial.
- C. **EXPERT DISCLOSURES & REPORTS.** By **January 15, 2024**, each party must disclose to the other parties the identity of any witness it may use at trial to present evidence

under Federal Rule of Evidence 702, 703, or 705 and provide a report complying with Federal Rule of Civil Procedure 26(a)(2)(B).

- D. **REBUTTAL EXPERT REPORTS.** By **February 16, 2024**, each party must provide to the other parties any written rebuttal expert reports.
- E. **FACT DISCOVERY.** By **March 5, 2024**, the parties must have completed all fact discovery.
- F. **EXPERT DEPOSITIONS.** By **March 5, 2024**, the parties must have completed the depositions of all experts.
- G. **DISPOSITIVE MOTIONS.** By **April 1, 2024**, the parties must have filed all dispositive motions, which must be heard by **May 9, 2024**.
- H. **TRIAL EXHIBITS & TRIAL WITNESSES.** By **May 21, 2024**, the parties must have filed a list of trial exhibits and exchanged all such trial exhibits (except for impeachment documents and demonstratives) and filed a list of witnesses to be called at trial. Each exhibit shall be marked with an exhibit label. By **May 28, 2024**, the parties, after conferring, must file any objections to trial exhibits and trial witnesses. All exhibits not objected to in writing by this date will be admitted into evidence at trial without further proof. Written objections to exhibits shall be taken up either at the beginning or during trial or at the pretrial conference.
- I. **PRE-TRIAL MOTIONS.** By **May 28, 2024**, the parties must have filed all pre-trial motions, such as motions in limine and motions challenging the admissibility of expert testimony.
- J. **JOINT PRE-TRIAL ORDER.** By **May 28, 2024**, the parties must have filed a joint pre-trial order in compliance with Local District Court Rule 16.4. All counsel are responsible

for preparing the Joint Pretrial Order, which shall contain the following: (a) a summary of the claims and defenses of each party; (b) a statement of stipulated facts; (c) a list of the contested issues of fact; (d) a list of contested issues of law; (e) an estimate of the length of trial; (f) a list of additional matters which would aid in the disposition of the case; and (g) the signature of each attorney.

This Order is being entered without prejudice to the rights of the parties to seek to extend or modify the terms of this Amended Scheduling/Docket Control Order.

End of Order

Respectfully submitted,

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